



Entered on Docket
November 04, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Ninth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Fiesta Oak Valley Loan**

Hearing Date: October 18, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Ninth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fiesta Oak Valley Loan ("Fiesta Oak Valley Loan") [DE 9077] (the "Objection"); the Court having heard the Objection on October 18, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Fiesta Oak Valley Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 9077] is sustained; and
5 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%
6 disallowed to the extent those claims are based upon an investment in the Fiesta Oak
7 Valley Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In The Fiesta Oak Valley Loan	Amount Disallowed (80 %)	Amount Allowed (20 %)
10725-00866	Stephen Family Trust DTD 3/22/84	C/O Roy M & Carol J Stephen Tees 1214 Yucca CIR St George, UT 84790-7551	127,856.98	53,863.89	\$43,091.11	\$10,772.78
10725-01894	Stevenson, Bert	500 N Estrella Pkwy B2-405 Goodyear, AZ 85338	1,101,205.82	66,500.00	\$53,200.00	\$13,300.00
10725-01872	Susskind, Robert	9900 Wilber May Pkwy #206 Reno, NV 89521	306,214.00	75,000.00	\$60,000.00	\$15,000.00
10725-01581	Teeter IRA Rollover, Louise	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	197,814.00	15,000.00	\$12,000.00	\$3,000.00
10725-01582	Teeter, Norman	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	136,246.00	20,500.00	\$16,400.00	\$4,100.00
10725-02275	Teeter, Norman	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	599,327.28	82,000.00	\$65,600.00	\$16,400.00
10725-01584	Teeter, Robert G	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	21,250.00	15,000.00	\$12,000.00	\$3,000.00
10725-02276	Teeter, Robert G	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	134,369.22	60,000.00	\$48,000.00	\$12,000.00
10725-00991	Tom, Sterling	213 Royal Aberdeen Way Las Vegas, NV 89144	150,000.00	50,000.00	\$40,000.00	\$10,000.00
10725-02416	Topp, Gerry	Po Box 3008 Grass Valley, CA 95945	521,406.20	50,000.00	\$40,000.00	\$10,000.00

EXHIBIT A

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